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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,839	12/24/2003	Damien (Yat Shun) Yu	VTX0318	1129

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EXAMINER

MURALIDAR, RICHARD V

ART UNIT	PAPER NUMBER
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2838

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/743,839	Applicant(s) YU ET AL.	
	Examiner Richard V. Muralidar	Art Unit 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, and 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

NON-FINAL ACTION

The previous allowances of claim 17 [and its dependent claims 18-20] have been rescinded due to a broader interpretation of Small [U.S. 6326766], as well as Wierzbicki [U.S. 6014009], both previously disclosed in the office action mailed 02/09/2006.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

[b] The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, and 9 are rejected under 35 U.S.C. 102[b] as being anticipated by Small [US-6326766].

With respect to Claim 1 [amended], Small discloses an apparatus for reducing the potential for electric shock [Abstract lines 1-2; col. 4 lines 49-67 and col. 5 lines 1-13], comprising: a body [Fig. 13 battery charger case 200]; a battery drawer slidably mounted in the body [Fig. 13 rechargeable pack 100] and being operable to have an open state [when expelled from charger 200] and a closed state [when inserted into charger 200], the battery drawer having a cavity [Fig. 13 top half 154] and a plurality of contacts [Fig. 11 electrical contacts 104 and 105] arranged to receive at least one battery [Fig. 11 batteries 11A-E]; a battery drawer cover separately secured within the body [Fig. 20, charger door 210 is flush with the surface of the charger, similar to

applicant's Fig. 4]; and an ejection mechanism [Fig. 17 catch mechanism 224, finger release 225, spring loaded contact strings 238A and spring loaded conductive strip portion 240A forms the left side of the mechanism, the same is repeated on the right side] operable to eject the battery drawer from the body and place the battery drawer in the open state, wherein when the battery drawer is in the open state the plurality of contacts are disengaged from any power source from within the body [col. 5 lines 13-16]; and wherein the ejection mechanism comprises a biasing means mounted to the battery drawer cover [Fig. 20, the biasing means mounted to the drawer cover is lever arm 215, which is biased by spring 233].

With respect to Claim 2 [original], Small discloses that when the battery drawer is in the closed state the plurality of contacts are connected to the any power source from within the body [Fig 18; col. 5 lines 13-16].

With respect to Claim 3 [original], Small discloses the power source comprises a battery charging circuit [Fig. 24; col. 6 lines 42-43].

With respect to Claim 4 [original], Small discloses the ejection [Fig. 17 catch mechanism 224, finger release 225, spring loaded contact strings 238A and spring loaded conductive strip portion 240A forms the left side of the mechanism, the same is repeated on the right side] is operable to both eject the battery drawer from within the body and to establish electrical connection between the plurality of contacts and an electrical circuit within the body [via conductive strip portion 240A and 240B].

With respect to Claim 5 [original], Small discloses a battery drawer cover [Fig. 11 top half 152].

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With respect to Claim 7, [amended] Small discloses the biasing mechanism comprises at least one spring [Fig. 20, the biasing means mounted to the drawer cover is lever arm 215, which is biased by spring 233].

With respect to Claim 9 [original], Small discloses a portion of at least one of the plurality of contacts has a portion that extends beyond the battery drawer and functions as the ejection mechanism [the spring contacts 240A and B in Fig. 17 provide an outward bias on the contacts 104 and 105 of battery 100 in Fig. 2].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103[a] which forms the basis for all obviousness rejections set forth in this Office action:

[a] A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-16 are rejected under 35 U.S.C. 103[a] as being unpatentable over Small [6326766] in view of Kfoury [6049192].

With respect to Claim 10, Small discloses the apparatus of claim 1, but does not disclose the body of a cordless telephone base station.

Kfoury discloses the body is a body of a cordless telephone base station [Fig. 1].

Small and Kfoury are analogous battery chargers with openings to accept rechargeable batteries.

At the time of the invention it would have been obvious to one of ordinary skill in the art to add a combination ejector and electrical circuit maker to a cordless telephone base station for the benefit of having the ability to simultaneously charge a battery for the rechargeable phone, to do so in a safe manner in which the users could not contact the electrical circuitry when the battery was withdrawn, and to provide a means for holding the battery securely in place whilst charging, then releasing it when finished.

With respect to Claim 11, Small discloses a combination ejector and electrical circuit maker [Fig. 17 catch mechanism 224, finger release 225, spring loaded contact strings 238A and spring loaded conductive strip portion 240A forms the left side of the mechanism and makes contact with the battery; the same is repeated on the right side], wherein the combination ejector and electrical circuit maker establishes an electric circuit between the battery charging circuit [Fig. 24; col. 6 lines 42-43] and the at least one rechargeable battery [Fig. 1 battery 100] when the battery drawer is in a closed state, operates to eject the battery drawer from the body, and electrically opens the electric circuit between the battery charging circuit and the at least one rechargeable battery when the battery drawer is in an open state [once the battery is ejected by depressing finger release 225, the battery is forced out by the spring contacts 240A and B in Fig. 17],

Small does not disclose a cordless telephone apparatus having a stand-by battery recharging system, or that the battery drawer is held captive in the body in the open state.

Kfoury discloses a cordless telephone apparatus having a stand-by battery recharging system [Fig. 1], comprising: a base station having a body [Fig. 1 main housing 103]; a battery charging circuit disposed in the body [Fig 4 printed circuit 404 is a charger]; a battery drawer slidably mounted in the body [Figs. 7 and 8 battery door housing 104 with arm beams 472 and 474 form the drawer], the battery drawer being configured to receive and hold at least one rechargeable battery [Fig. 2 battery 200]. Kfoury also discloses that the battery drawer is held captive in the body in the open state [Fig. 4, stops 478 and 578 prevent the drawer from coming all the way out of the body; col. 4 lines 21-24].

Small and Kfoury are analogous battery chargers that can accept a battery into a housing for charge. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the battery drawer with a combination ejector and electrical circuit maker to charge a battery for the rechargeable phone, to do so in a safe manner in which the users could not contact the electrical circuitry when the battery was withdrawn, and to provide a means for holding the battery securely in place whilst charging, then releasing it when finished, for enhanced safety to the users. It would have also been obvious to use incorporate a means of preventing the battery drawer from coming all the way in order to prevent accidentally dropping the battery and causing damage.

With respect to Claims 12-14 [original], Small discloses a battery drawer cover [Fig. 11 top half 152] and at least one spring [Fig. 14 spring 233, Fig. 17 spring 256]. Also see Kfoury springs Figs. 7 and 8 springs 440 and 442. Small does not disclose that

the combination ejector and electrical circuit maker is mounted on the battery drawer cover.

Kfoury discloses at least a substantial portion of the combination ejector and electrical circuit maker is mounted on the battery drawer cover [Figs. 7 and 8 springs 440 and 442 with arm beams 472 and 474 and contact block 420].

Small and Kfoury are analogous battery chargers that can accept a battery into a housing for charge. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the battery drawer with a combination ejector and electrical circuit maker to charge a battery for the rechargeable phone, to do so in a safe manner in which the users could not contact the electrical circuitry when the battery was withdrawn, and to provide a means for holding the battery securely in place whilst charging, then releasing it when finished, for the purpose of enhancing charging safety to the users and to prevent the battery from moving whilst charging, which could conceivably cause damage.

With respect to Claim 15 [original], Small discloses a substantial portion of the combination ejector and electrical circuit maker. Small does not disclose it is mounted on a battery drawer.

Kfoury discloses a battery drawer, in conjunction with a telephone charger base [Fig. 1].

Small and Kfoury are analogous battery chargers that can accept a battery into a housing for charge. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the battery drawer with a combination ejector and

electrical circuit maker to charge a battery for the rechargeable phone, to do so in a safe manner in which the users could not contact the electrical circuitry when the battery was withdrawn, and to provide a means for holding the battery securely in place whilst charging, then releasing it when finished, for the purpose of enhancing charging safety to the users and to prevent the battery from moving whilst charging, which could conceivably cause damage.

With respect to Claim 16 [original], Small discloses the combination ejector and electrical circuit maker comprises an electrically conductive contact folded in such a way as to maintain the at least one battery within the battery drawer and to bias the battery drawer toward an exterior of the body [Fig. 17 spring loaded strips 240A and B are folded in this manner and holds the battery tightly in placed when the battery is engaged, then pushes the battery out when the finger releases 225 and 226 are depressed]. Small does not disclose the ejector is mounted on a battery drawer.

Kfoury discloses a battery drawer, in conjunction with a telephone charger base [Fig. 1].

Small and Kfoury are analogous battery chargers that can accept a battery into a housing for charge. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the battery drawer with a combination ejector and electrical circuit maker to charge a battery for the rechargeable phone, to do so in a safe manner in which the users could not contact the electrical circuitry when the battery was withdrawn, and to provide a means for holding the battery securely in place whilst charging, then releasing it when finished, for the purpose of enhancing charging safety

to the users and to prevent the battery from moving whilst charging, which could conceivably cause damage.

Claims 17-20 are rejected under 35 U.S.C. 103[a] as being unpatentable over Small [U.S. 6326766] in view of Wierzbicki [U.S. 6014009].

With respect to Claim 17 [original], Small discloses a battery holding apparatus [Fig. 13, battery pack charger 200], comprising: a drawer [Fig. 13, rechargeable pack 100] having a front face and sides, the sides respectively having a flange [Figs. 1 and 2, the L shaped tabs 128 and 129 are flanges that are used to affix the rechargeable battery pack 100 to the inside of the housing 200] extending therefrom; at least one contact [Fig. 11, contact 104/146] having front-facing [Fig. 11, metal contacts 146 are the front/inside facing contacts] and back-facing portions [Figs. 1 and 2, electrical contacts 104 or 105 are the back facing/outside contacts], the front-facing portion being in contact with a terminal of a battery [Fig. 11, metal contact 146] when the drawer holds a battery; an extension portion that extends beyond the at least one contact and in a direction away from the front face [Fig. 11, conductive wire 148b]; and a battery drawer cover [Fig. 19, cover 210] having at least one protrusion extending therefrom [Fig. 19, lever arm 215], the protrusion having at least one spring [Figs. 19 and 20, spring 233].

Small does not disclose that when the battery drawer is closed, the spring is compressed between the protrusion and the back-facing portion of the electrical

contact, and that said spring pushes the battery away from the protrusion when the drawer is released.

Wierzbicki discloses a battery drawer cover [Fig. 1A, front end wall 19] with a protrusion [Fig. 1A, spring 55 protrudes from the front wall cover into battery cavity 15] arranged to come into contact with the back-facing portion of the at least one contact [Fig. 7a, the corresponding external contact on rechargeable battery 27 is the back contract], the at least one spring [Fig. 7a, spring 57; col. 5 lines 32-39] being in electrical contact with a battery charging circuit, wherein, when the battery drawer is in a closed state, the at least one spring is compressed [Fig. 8D, spring 57 is compressed when the battery 27 is fully inserted into electronic device 11] between the protrusion and the back-facing portion of the at least one contact such that electrical power is provided to the at least one contact, and wherein, when the battery drawer is released to be in an open state, the at least one spring acts to push the battery drawer away from the protrusion such that any electrical circuit previously established is opened [Fig. 2, when released, rechargeable battery 27 is pushed out of electronic device 11 breaking electrical contact with the internal charging circuit].

Small and Wierzbicki are analogous battery charging devices that accept rechargeable batteries into an inner cavity in order to accomplish charging, then manually [by the user] ejects them when finished.

At the time of the invention it would have been obvious to one of ordinary skill in the art to specify spring compression between the protrusion and the back-facing portion of the electrical contact, as taught by Wierzbicki, in order to push the battery

away from the protrusion when the drawer is released, to allow the battery to break the charging contacts and rapidly exit the device housing. Front-acting spring compression would offer a well-known, more resilient means of pushing the battery out than the side-acting spring loaded strips 240A/B used by Small in Fig. 17.

With respect to Claim 18 [original], Small discloses that the battery drawer cover [Fig. 22, cover 210 is mounted to charger body 200] is mounted to a body.

With respect to Claim 19 [original], Small discloses that the extension portion [Fig. 11, conductive wire 148b] slides beneath the protrusion [Fig. 19, lever arm 215; the conductive wire 148b would slide beneath the lever arm 215 when the battery pack 100 is fully inserted into charger 200 and the cover 210 is closed].

With respect to Claim 20 [original], Small discloses that the front face [Fig. 23 shows the front and rear faces of rechargeable pack 100] is flush with a body [the inner cavity of charger 200] when the battery drawer is in the closed state [Figs. 22 and 23, the inner wall of rechargeable pack 100 is flush with the rear wall of the insides of charger 200, and the outer wall is flush with the front wall, as outlined by battery cover 210].

Response to Arguments

Applicant's arguments filed 04/24/2006 have been fully considered but they are not persuasive.

Applicant notes on page 7 and 8 of remarks that the amendment to claim 1 now requires a battery drawer cover that is separately secured within the body of the

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apparatus, and that the ejection mechanism comprises a biasing means mounted to the battery drawer cover, and further that the battery drawer is held captive in the body in the open state, and that these limitations are allowable since these are features of the previously allowed claim 17. Unfortunately, the previous allowances of claim 17 [and its dependent claims 18-20] have been rescinded due to a broader interpretation of Small [U.S. 6326766], as well as Wierzbicki [U.S. 6014009], both previously disclosed in the office action mailed 02/09/2006.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard V. Muralidar whose telephone number is 571-272-8933. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl D. Easthom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RVM
8/14/2006


KARL EASTHOM
SUPERVISORY PATENT EXAMINER